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Relational Equality and Justice

KIRSTEN MEYER*

Comment to the Contribution of John-Stewart Gordon

1. Egalitarianism and equality

In his paper: “Justice *or* equality?” Gordon answers the question of its title as follows: The ‘*or*’ is out of place, since equality is an important part of justice. Therefore egalitarianism is superior to prioritarianism. Even though prioritarianism is “a good start”, it “has to be accompanied by other egalitarian considerations” (p. 199).

Before we can turn to the question of how this claim can be defended, we should focus on the exact differences between egalitarianism and prioritarianism. Gordon’s distinction between these two positions remains quite vague throughout his article. He introduces the distinction between egalitarianism and prioritarianism by enumerating six egalitarian and four prioritarian presumptions (pp. 184). However, this enumeration does not point to the core of these positions, and it does not mark a clear distinction between them.

Gordon repeatedly focuses on the following distinction: Egalitarians think that equality is the *most important* part of justice, whereas prioritarians assume that equality is *less important* for justice. There could also be an extreme view of egalitarianism, which states that equality is the only aim of justice, and also an extreme prioritarian view that equality has nothing to do with justice. Gordon refuses these extreme views and he thinks that these alleged positions are not actually held by anyone but rather pictures drawn by their opponents. According to Gordon, the “truth is somewhere in between” these positions (p. 196). However, if the truth is *somewhere* in between these two extreme positions, we still do not know whether it is on the egalitarian or the prioritarian side.

Or should we give up this distinction anyway? Sometimes it sounds as if Gordon is inclined to do that. At one point he states that “it seems to be that the opposition between philosophers who are egalitarians and those who are prioritarians is (...) a false one (...)” (p. 196). However, he relies on this distinction in the course of his article, and he can only defend egalitarianism against prioritarianism if he has a clear notion of egalitarianism as opposed to rival views. And for the clarity we need here, it is not sufficient to say that egalitarianism stresses the importance of equality, whereas rival positions don’t.

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So let us try to formulate a clearer distinction. In my opinion, the clearest distinction is found in Joseph Raz's work. He formulates the *point* of the non-egalitarian view as follows:

"The point is not that we all promote equality in some respect or other but rather that insofar as we rely on principles which are not strictly egalitarian we do not promote equality as a goal at all, it is merely a by-product" (Raz 1986: 230).

So the difference between egalitarianism and non-egalitarianism is that egalitarians care about *strictly egalitarian principles*, whereas non-egalitarians refuse those principles. Principles that refer to equality due to relational standards are strictly egalitarian, whereas rival views claim, as Gordon puts it himself, that "equality is a mere by-product and it is due to absolute standards like human dignity or respect" (p. 185). At this part of his article, we actually do get a clear distinction between egalitarianism and its opponents: Egalitarians aim at strict equality and non-egalitarians don't. So let us now see if egalitarianism can be defended against important points of criticism. For that, we can now turn to Gordon's attempt to do so.

2. How can egalitarianism be defended?

Gordon discusses several objections against egalitarianism. Of the objections he discusses, the first objection is most important. Prioritarians state that

"in cases of people's hunger or illness or deficiency of goods they should be helped *because* hunger, illness, and deficiency of goods are terrible circumstances for every human being and not because other people are in a better condition" (p. 185).

Now Gordon thinks that this objection can be met by the following consideration: He claims that this objection 'totally loses its power' if one acknowledges that people in cases of illness etc. should be treated *equally as human beings* (p. 186). However, this is exactly what prioritarians claim themselves. And they do not have to accept strictly egalitarian principles in order to defend this claim. It is sufficient to say that *every* human being who is in need should be helped, and in this sense one should treat people who are in need *equally*. The word "equally" does not refer to anything relational here. Instead of saying "being human and being in need is a sufficient ground for help" one might say that "all humans in need are entitled to equal help". This is exactly Raz's point, so Gordon cannot show that Raz's grounds for rejecting egalitarianism are false by using these formulations himself.

The same confusion arises when Gordon rejects Anderson's critique of egalitarianism. And it even arises in his rejection of what Gordon considers to be Anderson's "main point":

"Anderson's main point is that luck egalitarianism claims that disabled people get extra resources by virtue of their inferiority and not by virtue of their equality to other people" (p. 191).

To reject this claim, Gordon reasserts the following: People should get extra resources, "because they are human beings, like other human beings, and they are,

simply speaking, in need of help” (p. 191). Needless to say, this is exactly what Anderson would claim herself. She does not argue against helping those in need for these reasons. Instead, she argues against helping some people for strictly egalitarian reasons, which she takes to be of the following sort: Egalitarians would say that some people should get more *because* they are worse off than others (and not, or not just, *because* they are in need of our help). Again, Gordon has not said anything in favour of egalitarianism. Instead, he has added fuel to Raz’s fire, by giving supposedly egalitarian principles a non-egalitarian interpretation.

However, it is Raz himself who gives us examples of strictly egalitarian principles. One of them is the following:

“If some have more opportunities than others then those who have fewer are entitled to additional opportunities to bring them to the level of those who have more” (Raz 1986: 231).

This principle is strictly egalitarian, since equality is not a mere by-product here. Instead, it refers to equality due to relational standards. Some people should have more opportunities, when others have more opportunities than they. So prioritarians would have to refuse principles of this kind, whereas egalitarians would have to defend some (or at least one) of them. But how, if at all, can these principles be defended?

3. Reasons for egalitarianism

One possible way to “justify” egalitarianism is to refuse that it needs to be justified. For a reference to this proposal, Gordon cites Tugendhat (1997), and Gordon seems to sympathize with Tugendhat’s approach. However, his own approach is different (and, as he tells us, closer to Gosepath’s approach). Gordon vaguely summarizes his approach as follows:

“[T]he demand of treating people morally equal, maybe, gives some hints for equal distributions in other spheres” (p. 198).

Talk of *equal* distributions is open to different interpretations, but since Gordon intends to defend egalitarianism we should interpret this as a reference to strictly egalitarian principles. A strictly egalitarian principle that demands an equal distribution might be the one just stated: it might demand an equal distribution of opportunities, where some are entitled to more opportunities *because* others have more opportunities than they do. So this principle entails relational equality.

Gordon does not give us a clear example of relational equality. The only hint appears in a footnote. There he states that

“relational (res. comparative) equality is one aspect of justice among others; one needs relational equality in order to yield e.g. legal equality, equality of chances, or antidiscrimination laws” (Fn. 11).

Let us focus on “equality of chances”, since this demand could be formulated as suggested above: If some have more chances than others then those who have fewer are entitled to additional chances to bring them to the level of those who have more. And

if Gordon is right, this relational equality might be defended by the demand of treating people morally equal.

I think on this score Gordon may indeed be right. And *here* it is a good move to (deliberately) adopt a non-egalitarian argument. This argument was brought up by Frankfurt (1997), and Gordon takes it up in discussing Berlin's argument for an equal distribution of a cake (p. 196). Frankfurt states that a cake has to be divided equally, because it is the moral importance of respect and hence of impartiality that constrains us to treat people the same and thus to give them the same share. If Frankfurt is right, strictly egalitarian principles can be defended along a non-egalitarian line of reasoning. This does not mean that equality is a mere *by-product* in the realization of absolute standards like human dignity and respect. Instead, it means that relational equality can be *justified* with a reference to human respect. If this is what Gordon has in mind when he tells us that "the truth lies somewhere in between" egalitarianism and prioritarianism, I am, in the end, quite sympathetic to his approach.

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